

STATE OF MINNESOTA

SPECIAL SESSION — 2005

 TWENTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JULY 5, 2005

The House of Representatives convened at 2:00 p.m. and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dill	Heidgerken	Latz	Paulsen	Slawik
Abrams	Dittrich	Hilstrom	Lenczewski	Paymar	Smith
Anderson, B.	Dorman	Hilty	Lesch	Pelowski	Solberg
Anderson, I.	Dorn	Holberg	Liebling	Penas	Sykora
Atkins	Eastlund	Hoppe	Lieder	Peppin	Thao
Beard	Eken	Hornstein	Lillie	Peterson, A.	Thissen
Bernardy	Ellison	Hortman	Loeffler	Peterson, N.	Tingelstad
Blaine	Emmer	Hosch	Magnus	Peterson, S.	Urdahl
Bradley	Entenza	Howes	Mahoney	Poppe	Vandever
Brod	Erhardt	Huntley	Marquart	Powell	Wagenius
Buesgens	Erickson	Jaros	McNamara	Rukavina	Walker
Carlson	Finstad	Johnson, J.	Moe	Ruth	Wardlow
Charron	Fritz	Johnson, R.	Mullery	Ruud	Welti
Cornish	Garofalo	Johnson, S.	Murphy	Sailer	Westerberg
Cox	Gazelka	Juhnke	Nelson, M.	Samuelson	Westrom
Cybart	Goodwin	Kahn	Nelson, P.	Scalze	Wilkin
Davids	Greiling	Kelliher	Newman	Seifert	Zellers
Davnie	Gunther	Knoblach	Nornes	Sertich	Spk. Sviggum
Dean	Hackbarth	Koenen	Olson	Severson	
DeLaForest	Hamilton	Kohls	Opatz	Sieben	
Demmer	Hansen	Krinkie	Otremba	Simon	
Dempsey	Hausman	Lanning	Ozment	Simpson	

A quorum was present.

Clark, Klinzing, Larson, Mariani and Meslow were excused.

Soderstrom was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Magnus moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 1:00 p.m., Thursday, July 7, 2005.

A roll call was requested and properly seconded.

The question was taken on the Paulsen motion and the roll was called. There were 67 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gazelka	Lesch	Peppin	Vandev eer
Abrams	Dean	Gunther	Loeffler	Peterson, N.	Wardlow
Anderson, B.	DeLaForest	Hackbarth	Magnus	Powell	Westerberg
Beard	Demmer	Hamilton	McNamara	Ruth	Westrom
Blaine	Dempsey	Heidgerken	Moe	Samuelson	Wilkin
Bradley	Dittrich	Holberg	Nelson, P.	Seifert	Zellers
Brod	Eastlund	Hoppe	Newman	Severson	Spk. Sviggum
Buesgens	Emmer	Johnson, J.	Nornes	Simpson	
Charron	Erhardt	Knoblach	Opatz	Smith	
Cornish	Erickson	Kohls	Ozment	Sykora	
Cox	Finstad	Krinkie	Paulsen	Tingelstad	
Cybart	Garofalo	Lanning	Penas	Urdahl	

Those who voted in the negative were:

Anderson, I.	Fritz	Howes	Lenczewski	Otremba	Sertich
Atkins	Goodwin	Huntley	Liebling	Paymar	Sieben
Bernardy	Greiling	Jaros	Lieder	Pelowski	Simon
Carlson	Hansen	Johnson, R.	Lillie	Peterson, A.	Slawik
Davnie	Hausman	Johnson, S.	Mahoney	Peterson, S.	Solberg
Dill	Hilstrom	Juhnke	Marquart	Poppe	Thao
Dorn	Hilty	Kahn	Mullery	Rukavina	Thissen
Eken	Hornstein	Kelliher	Murphy	Ruud	Wagenius
Ellison	Hortman	Koenen	Nelson, M.	Sailer	Walker
Entenza	Hosch	Latz	Olson	Scalze	Welti

The motion prevailed.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 88.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 88, A bill for an act relating to appropriations; appropriating money for continued, temporary operation of state government.

The bill was read for the first time.

MOTION TO SUSPEND RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sertich moved that the rule therein be suspended and an urgency be declared so that S. F. No. 88 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Sertich motion and the roll was called. There were 70 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Ellison	Hosch	Lesch	Otremba	Simon
Anderson, I.	Entenza	Howes	Liebling	Paymar	Slawik
Atkins	Fritz	Huntley	Lieder	Pelowski	Smith
Bernardy	Goodwin	Jaros	Lillie	Peterson, A.	Solberg
Carlson	Greiling	Johnson, R.	Loeffler	Peterson, S.	Thao
Davnie	Hansen	Johnson, S.	Mahoney	Poppe	Thissen
Dempsey	Hausman	Juhnke	Marquart	Rukavina	Tingelstad
Dill	Heidgerken	Kahn	Moe	Ruud	Wagenius
Dittrich	Hilstrom	Kelliher	Mullery	Sailer	Walker
Dorman	Hilty	Koenen	Murphy	Scalze	Welti
Dorn	Hornstein	Latz	Nelson, M.	Sertich	
Eken	Hortman	Lenczewski	Olson	Sieben	

Those who voted in the negative were:

Abrams	Cybart	Garofalo	Krinkie	Penas	Sykora
Anderson, B.	Davids	Gazelka	Lanning	Peppin	Urdahl
Beard	Dean	Gunther	Magnus	Peterson, N.	Vandever
Blaine	DeLaForest	Hackbarth	McNamara	Powell	Wardlow
Bradley	Demmer	Hamilton	Nelson, P.	Ruth	Westerberg
Brod	Eastlund	Holberg	Newman	Samuelson	Westrom
Buesgens	Emmer	Hoppe	Nornes	Seifert	Wilkin
Charron	Erhardt	Johnson, J.	Opatz	Severson	Zellers
Cornish	Erickson	Knoblach	Ozment	Simpson	Spk. Sviggum
Cox	Finstad	Kohls	Paulsen	Soderstrom	

Not having received the constitutionally required two-thirds vote, the motion did not prevail.

S. F. No. 88 was referred to the Committee on Rules and Legislative Administration.

Thao was excused for the remainder of today's session.

MOTIONS AND RESOLUTIONS

Erhardt moved that the names of Hausman and Peterson, N., be added as authors on H. F. No. 119. The motion prevailed.

Smith moved that the name of Westerberg be added as an author on H. F. No. 123. The motion prevailed.

Sertich moved that the name of Scalze be added as an author on H. F. No. 126. The motion prevailed.

MOTION TO SUSPEND RULES

Olson moved that the rules be so far suspended that House Concurrent Resolution No. 6 be recalled from the Committee on Rules and Legislative Administration and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Olson motion and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Hornstein	Knoblach	Otremba	Simon
Anderson, B.	Ellison	Hortman	Koenen	Paymar	Slawik
Atkins	Entenza	Hosch	Lenczewski	Pelowski	Smith
Buesgens	Erhardt	Howes	Lesch	Peterson, A.	Solberg
Carlson	Erickson	Huntley	Liebling	Peterson, S.	Thissen
Cox	Fritz	Jaros	Lillie	Poppe	Tingelstad
Davnie	Goodwin	Johnson, J.	Mahoney	Rukavina	Urdahl
Demmer	Greiling	Johnson, R.	Marquart	Ruud	Walker
Dill	Hansen	Johnson, S.	Moe	Sailer	Walti
Dittrich	Hausman	Juhnke	Mullery	Scalze	Westerberg
Dorman	Heidgerken	Kahn	Olson	Sertich	
Dorn	Hilstrom	Kelliher	Opatz	Sieben	

Those who voted in the negative were:

Abrams	Charron	Eastlund	Hamilton	Latz	Nelson, P.
Anderson, I.	Cornish	Emmer	Hilty	Lieder	Newman
Beard	Cybart	Finstad	Holberg	Loeffler	Nornes
Bernardy	Davids	Garofalo	Hoppe	Magnus	Ozment
Blaine	Dean	Gazelka	Kohls	McNamara	Paulsen
Bradley	DeLaForest	Gunther	Krinkie	Murphy	Penas
Brod	Dempsey	Hackbarth	Lanning	Nelson, M.	Peppin

Peterson, N.	Samuelson	Simpson	Vandev eer	Westrom	Spk. Sviggum
Powell	Seifert	Soderstrom	Wagenius	Wilkin	
Ruth	Severson	Sykora	Wardlow	Zellers	

Not having received the required two-thirds vote, the motion did not prevail.

Olson moved that House Concurrent Resolution No. 2 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Ways and Means. The motion prevailed.

Olson moved that House Concurrent Resolution No. 5 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Ways and Means. The motion prevailed.

Olson moved that House Concurrent Resolution No. 6 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Seifert moved that the House adjourn.

A roll call was requested and properly seconded.

The question was taken on the Seifert motion and the roll was called. There were 81 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Gazelka	Lillie	Peterson, N.	Sykora
Abrams	DeLaForest	Greiling	Loeffler	Peterson, S.	Thissen
Anderson, B.	Demmer	Gunther	Magnus	Poppe	Tingelstad
Anderson, I.	Dempsey	Hackbarth	Mahoney	Powell	Urdahl
Beard	Dittrich	Hamilton	McNamara	Ruth	Vandev eer
Blaine	Dorn	Heidgerken	Nelson, P.	Sailer	Wardlow
Bradley	Eastlund	Holberg	Newman	Samuelson	Westerberg
Brod	Ellison	Hoppe	Nornes	Scalze	Westrom
Buesgens	Emmer	Johnson, J.	Opatz	Seifert	Wilkin
Charron	Entenza	Knoblach	Ozment	Severson	Zellers
Cornish	Erhardt	Kohls	Paulsen	Simpson	Spk. Sviggum
Cox	Erickson	Krinkie	Pelowski	Smith	
Cybart	Finstad	Lanning	Penas	Soderstrom	
Davids	Garofalo	Lesch	Peppin	Solberg	

Those who voted in the negative were:

Atkins	Eken	Hilstrom	Howes	Juhnke	Liebling
Bernardy	Fritz	Hilty	Huntley	Kelliher	Lieder
Davnie	Goodwin	Hornstein	Jaros	Koenen	Marquart
Dill	Hansen	Hortman	Johnson, R.	Latz	Moe
Dorman	Hausman	Hosch	Johnson, S.	Lenczewski	Mullery

Murphy
Nelson, M.
Olson

Otremba
Paymar
Peterson, A.

Rukavina
Ruud
Sertich

Sieben
Simon
Slawik

Wagenius
Walker
Welti

The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 1:00 p.m., Thursday, July 7, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives